

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4047

Introduced by: Hon. RENE L. RELAMPAGOS
1st District, Province of Bohol

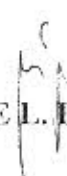
EXPLANATORY NOTE

This representation is well aware of some incidents involving the Office of the Ombudsman where its findings, as an offshoot of the complaints filed, have been used, either wittingly or unwittingly, to politically harass opposing party or parties.

This representation submits that as there is **no specific period** under the Ombudsman Act of 1989 (R.A. 6770) or its Rules of Procedures where the Ombudsman or his Deputy or his Assistant must act upon receipt of the complaint and resolve and release the findings and recommendations of the Hearing Officer, the party or parties concerned are left in the dark, so to speak, as to when the Ombudsman et al. acted upon receipt of the complaint and the results of the decision or resolution of the Ombudsman. Also, a situation may exist where the party or parties concerned can be made to speculate through a discretionary action of an "insider or colluding entity within the Office of the Ombudsman" that the case filed is still pending, when in truth and in fact, the case may have been already dismissed by the approving authority in the Ombudsman but the said party or parties are not promptly informed of such dismissal.

To explain farther, this bill proposes or seeks to amend Section 26, paragraph 2 of "The Ombudsman Act of 1989" (R.A. 6770) to reflect a specific period within which the Office of the Ombudsman must act upon receipt of the complaint and the specific period that the findings of the Office of the Ombudsman shall be handed out, or disposed of and made known by the party or parties concerned.

I earnestly and highly recommend the immediate approval of this bill.


RENE L. RELAMPAGOS

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1st District, Bohol

AN ACT
AMENDING SECTION 26, PARAGRAPH 2 OF REPUBLIC ACT NO. 6770,
OTHERWISE KNOWN AS THE OMBUDSMAN ACT OF 1989

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION. 1. Section 26, paragraph 2 of Republic Act No. 6770 is hereby amended to read as follows:

(1) x x x

(2) The Officer of the Ombudsman shall receive complaints from any source in whatever form concerning an official act or omission. It shall act on the complaint [immediately] **WITHIN SEVENTY-TWO (72) HOURS FROM DATE OF RECEIPT** and if it finds the same entirely baseless, it shall dismiss the same and **MUST** inform the complainant **WITHIN A PERIOD OF FIFTEEN (15) DAYS** of such dismissal citing the reasons therefor. If it finds a reasonable ground to investigate further, it shall first furnish the respondent public officer or employee with a summary of the complaint and **MUST** require him to submit a written answer **UNDER OATH** within seventy-two (72) hours from receipt thereof. If the answer is found satisfactory, it shall dismiss the case **AND MUST INFORM THE PARTIES WITHIN A PERIOD OF FIFTEEN (15) DAYS FROM THE DATE OF THE DISMISSAL.**

(3) x x x

(4) x x x

SEC. 2. Repealing Clause. - All laws, executive orders, decrees, instructions, rules and regulations contrary to or inconsistent with any provision of this Act are hereby amended, repealed or modified accordingly.

SEC. 3. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any national newspaper of general circulation.

Approved,